



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

October 4, 2010

David Holman

REDACTED

Re: FPPC Case No. 10/821, Albert Vogler

Dear Mr. Holman:

This letter is to notify you that the Enforcement Division of the Fair Political Practices Commission (the "FPPC") will investigate the allegations, under the jurisdiction of the FPPC, of the sworn complaint you submitted in the above-referenced matter. You will receive notification from us upon final disposition of the case. However, please be advised that at this time we have not made any determination about the validity of the allegations you have made or about the culpability, if any, of the persons you identify in your complaint.

Thank you for taking the time to bring this matter to our attention.

Sincerely,

REDACTED

Roman G. Porter
Executive Director

RGP: ak

cc: Albert Vogler

SWORN COMPLAINT FORM
(Form May Be Subject to Public Disclosure)*

AS REQUIRED BY GOVERNMENT CODE SECTION 83115, please complete the form below to file a sworn complaint with the Fair Political Practices Commission. **This form must be completed in its entirety and all pertinent information must be stated on this form, not as an attachment.**

Mail the complaint to: **Enforcement Division**
 Fair Political Practices Commission
 428 J Street, Suite 620
 Sacramento, California 95814

Person Making Complaint

Last name: HOLMAN

First Name: David

Street Address: _____

City: _____

State: _____

Zip: _____

Telephone: _____

Fax: _____

E-mail: _____

***IMPORTANT NOTICE**

Under the California Public Records Act (Gov. Code Section 6250 and following), this sworn complaint and your identity as the complainant may be subject to public disclosure. Unless the Chief of Enforcement deems otherwise, within three business days of receiving your sworn complaint we will send a copy of it to the persons(s) you allege violated the law.

In some circumstances, the FPPC may claim your identity is confidential, and therefore not subject to disclosure. A court of law could ultimately make the determination of confidentiality. If you wish the FPPC to consider your identity confidential, do not file the complaint before you contact the FPPC (916-322-5660 or toll free at 866-ASK-FPPC) and discuss the complaint with an Enforcement Division attorney.

RECEIVED
FAIR POLITICAL
PRACTICES COMMISSION
10 SEP 27 11 05 AM '05

Complaint

Person or Persons who Allegedly Violated the Political Reform Act: (If there are multiple parties involved, attach additional pages as necessary.)

Last Name: Vogler

First Name: Albert

Street Address: _____

City: _____ State: _____

Zip: _____

Telephone: (_____) _____

Fax: (_____) _____

E-mail: _____

Provision or Provisions of the Political Reform Act Allegedly Violated: (If specific sections are not known, please provide a brief summary of the nature of the violation(s), and when it (they) occurred.) **You must state the suspected violation(s) on this form.**

18450.4, I think. Mr. Vogler has placed a commercial billboard (the billboard is owned by Lamar Advertising) at Main St, east of "E" Street in Hesperia. There is no disclosure on the billboard as to what person or committee paid for the billboard. I have spoken to two people at Lamar who state their policy is not to divulge names of clients, however the salesman let me know I was on the right track, and also stated he told the client he thought there should be a disclosure, but was over-ruled by his boss.

Mr. Vogler and his wife Rita Vogler, a sitting council person have done these sort of things before, which is why I am certain they are behind this one.

The billboard states "Vote NO on Smith, Blewett, Holman Hesperia City Council Nov. 2nd"

There is no doubt it is expressly advocating against a specific candidate or candidates.

As such, it is required by the Political Reform Act and the Fair Political Practices Act to have a disclosure of the name of the person or committee who paid for it, in type at least 5% of the size of the sign.

MR VOGLER'S Political Action Committee is ID # 1306925

Description, With as Much Particularity as Possible, of Facts Constituting Alleged Violation and how you have personal knowledge that it occurred**

The billboard expressly advocates against a specific candidate. It is located on the major thoroughfare thru the city. I have personally driven by it multiple times. There is no disclosure anywhere on the advertisement as to who paid for it.

**Please attach copies of any available documentation that is evidence of the violation, (for example, checks, campaign materials, etc., if applicable to the complaint). Note that a newspaper article is NOT considered evidence of a violation.

Name and Addresses of Potential Witnesses, in addition to yourself, if Known:

Last Name: _____

First Name: _____

Street Address: _____

City: _____ State: _____

Zip: _____ - _____

Telephone: (____) _____ - _____

Fax: (____) _____ - _____

E-mail: _____

Last Name: _____

First Name: _____

Street Address: _____

City: _____ State: _____

Zip: _____ - _____

Telephone: (____) _____ - _____

Fax: (____) _____ - _____

E-mail: _____

Last Name: _____

First Name: _____

Street Address: _____

City: _____ State: _____

Zip: _____ - _____

Telephone: (____) _____ - _____

Fax: (____) _____ - _____

E-mail: _____

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

REDACTED

(Signature)

9-20-10

(Date)

DAVID HOLMAN

(Please print your name)